

NOTICE TO BIDDERS:

During the 2005 – 114th Regular Session of the Indiana General Assembly, House Budget Bill, HEA 1001 also known as Public Law 246-2005, was enacted and becomes effective July 1, 2005. You may view House Budget Bill, HEA 1001 at www.in.gov.legislative/. Click on the link titled “Bills and Resolutions” and enter the Bill number you want to view.

One portion of this Bill that we believe is important to know in advance states, in part:

SECTION 54. IC 5-22-16-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) An offeror that is a foreign corporation must be registered with the secretary of state to do business in Indiana in order to be considered responsible.

(c) The purchasing agent may award a contract to an offeror pending the offeror's registration with the secretary of state. If, in the judgment of the purchasing agent, the offeror has not registered within a reasonable period, the purchasing agent shall cancel the contract. An offeror has no cause of action based on the cancellation of a contract under this subsection.

Given the above, any corporation or entity that is required to register with the Secretary of State to do business with the State of Indiana must be registered or in the process of registration to be awarded a contract. After July 1, 2005, if your firm must register, your firm will need to be registered or the registration needs to be in process prior to the awarding of a contract. If your firm has not registered or is not in process at the time of award your firm can be found non-responsible and not be given the award.

You are strongly encouraged to visit the Legislative Services website indicated above to review the entire Bill and how it may effect your doing business with the State of Indiana, effective July 1, 2005.